

REMARKS

This application has been amended in a manner believed to place it in condition for allowance at the time of the next Official Action.

Claims 5, 6 and 9 are amended. Claim 13 is new. Support for the amendment to the claims may be found generally throughout the specification, for example, at page 4, lines 1-7.

Claims 7, 8, 10 and 12 are canceled.

Claims 2, 5, 6, 9 and 13 remain pending in the application.

The Official Action rejected claims 2 and 5-12 under 35 USC §112, first paragraph, for not meeting the written description requirement.

Specifically, the Official Action stated the recitation "chromium-oxide deposited formed directly on the metallic body" did not have explicit support in the specification. Claims 5, 6 and 9 are amended in a manner so as not to recite the "formed directly" recitation, and are consistent with the present specification (e.g. page 4, lines 1-7).

Therefore, applicants respectfully request that the rejection be withdrawn.

Claims 2 and 5-12 were rejected under 35 USC §112, first paragraph, as allegedly being based on a disclosure which is not enabling. Applicants respectfully disagree.

The Official Action states that the thickness of the passivation film is critical or essential to the practice of the invention, but the thickness is not included in the claims. The Official Action points to page 9 of the specification, which discloses that the chromium-oxide passivation film of substantially 100% has been formed, which is approximately 30 nm from the outermost surface.

The "chromium-oxide passivation film of substantially 100%" phrase from the specification is in reference to the  $\text{Cr}_2\text{O}_3$  in chromium dioxide shown in Figure 2. The atomic ratio of Cr and O is substantially 2:3, based on the elemental concentrations, at the thickness of nearly 30 nm in Figure 2. However, Figure 2 also shows that the film includes both Cr and O at a thickness of more than 30 nm thickness. Indeed, chromium-oxide exists in all of the thickness values shown in Figure 2. Thus, the thickness of the chromium-oxide is not limited to 30 nm in the present invention, and it is possible to obtain more than 30 nm of  $\text{Cr}_2\text{O}$  passivation film (e.g., by heating for a longer time).

In view of the amendment and the above discussion, applicants respectfully submit that the claims are enabled by the disclosure.

Therefore, applicants respectfully request that the rejection be withdrawn.

In the Answers to Applicant's Arguments, the Official Action states that applicant has not provided support in the specification for the improved adhesion as a result from solely the surface roughness, nor has the applicant provided evidence in the form of an affidavit to show that the improved adhesion is solely a result of surface roughness.

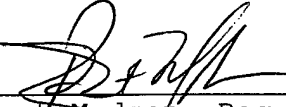
However, applicants respectfully direct the Examiner's attention to Figure 3 and the description at page 9, line 15 to page 10, line 2. Applicants respectfully submit that these sections of the specification provide evidence showing the effect of surface roughness on the adhesion.

In view of the above, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage to issue on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

  
\_\_\_\_\_  
Robert Madsen, Reg. No. 58,543  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573

RAM/lrs